

An act to amend Section 25502 of the Health and Safety Code, relating to hazardous materials.

SECURED
COPY



THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 25502 of the Health and Safety Code is amended to read:

25502. (a) ~~This (1) Notwithstanding any other law, this~~ article and Article 3 (commencing with Section 25545), as it pertains to the handling of hazardous material, and Article 2 (commencing with Section 25531), as it pertains to the regulation of stationary sources, shall be enforced and implemented by one a duly authorized designee of the secretary and either of the following:

~~(1)~~

(A) If there is a CUPA, the unified program agency.

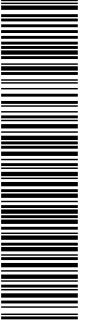
~~(2)~~

(B) If there is no CUPA, the agency authorized pursuant to subdivision (f) of Section 25404.3.

(2) To carry out the purposes of this chapter, any duly authorized designee of the secretary or the unified program agency may enforce this chapter as specified in Section 25185.

(b) The agency identified in subparagraphs (A) and (B) of paragraph (1) of subdivision (a) responsible for implementing this article, Article 2 (commencing with Section 25531), and Article 3 (commencing with Section 25545) shall ensure full access to, and the availability of, information submitted under this chapter to emergency response personnel and other appropriate governmental entities within its jurisdiction.

- 0 -



231087429159BILL

LEGISLATIVE COUNSEL'S DIGEST

Bill No. _____
as introduced, _____.
General Subject: Hazardous material release response plans and inventory.

Existing law requires the Secretary for Environmental Protection to establish a unified hazardous waste and hazardous materials management regulatory program and to designate local entities as certified unified program agencies, or CUPAs, to implement and enforce the unified program and related programs. Existing law requires certain businesses to adopt plans to respond to hazardous material releases and requires stationary source owners to prepare a risk management plan to prevent accidental releases of certain substances, as provided. Existing law authorizes CUPAs to enter and inspect facilities where hazardous wastes are stored and handled, as provided.

This bill would require the Secretary for Environmental Protection's designee to also implement and enforce those hazardous material release and accidental release prevention programs. The bill would authorize the secretary's designee, and expressly authorize CUPAs, to inspect facilities for those enforcement purposes, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

